

Coleman, Duane L.

From: Coleman, Duane L.
Sent: Monday, June 06, 2016 1:42 PM
To: 'Ross Hutchison'; Goerisch, C. David
Cc: jbradshaw@wyattfirm.com; Greg Cashion
Subject: RE: Western Amended Discovery Responses

Mr. Hutchison:

Based on your e-mail below, we understand that Western is unwilling to change its position. Far from conducting itself in "good faith," Western continues to be evasive and engage in gamesmanship instead of simply answering the questions posed.

We have now exhausted efforts to resolve the discovery disputes with your office and further correspondence on this subject will serve no productive purpose. Thus, please refrain from any such further communications. Thank you.

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From: Ross Hutchison [mailto:RHutchison@smithcashion.com]
Sent: Monday, June 06, 2016 1:21 PM
To: Coleman, Duane L. <dcoleman@lewisrice.com>; Goerisch, C. David <dgoerisch@lewisrice.com>
Cc: jbradshaw@wyattfirm.com; Greg Cashion <GCashion@smithcashion.com>
Subject: RE: Western Amended Discovery Responses

Mr. Coleman:

First, there is no need to include the resolved issues in the joint statement as those issues have been addressed and will not be subject of any dispute.

Second, we do not agree that it is appropriate to place your legal argument in a Joint Statement. Arguments would be more proper in your presumptive Motion to Compel.

We continue to hope that a Motion to Compel will be avoided, and have provided you appropriate responses and amended responses in good faith in hopes of avoiding such a dispute.

J. Ross Hutchison



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**Exhibit
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